

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TERI JEAN LACHAPELLE-BANKS,

Plaintiff,

V.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Case No. 2:16-cv-01956-RBL

**ORDER DENYING APPLICATION
TO PROCEED IN FORMA PAUPERIS**

THIS MATTER comes before the Court on plaintiff's filing of an application to proceed *in forma pauperis* and a complaint to review and set aside a decision of the Social Security Administration under 42 U.S.C. § 405(g). Because plaintiff's application indicates that her household has sufficient income and assets with which to pay the filing fee, the undersigned denies the application.

DISCUSSION

The district court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). However, the Court has broad discretion in denying an application to proceed *in forma pauperis*. *Weller v. Dickson*, 314 F.2d 598 (9th Cir. 1963), *cert. denied*, 375 U.S. 845 (1963).

By requesting the court to proceed *in forma pauperis*, plaintiff is asking the government to incur the filing fee because she allegedly is unable to afford the costs necessary to proceed

1 || with her cause of action.

In her application, plaintiff indicated that her household receives monthly income of \$1,038.32 in self-employment income, \$3,217.73 in pensions, and \$3,030.00 in disability. Dkt. 1 at 1. While the undersigned recognizes that the total of this income does not constitute an overly substantial net income for a four-person household, given that plaintiff and her spouse also have significant assets and savings, it does not seem unreasonable to expect her to pay the required filing fee. *See* Dkt. 1 at 2.

CONCLUSION

Because it is reasonable for plaintiff to incur the costs to proceed with this cause of action, the undersigned denies her application to proceed *in forma pauperis*. Accordingly, the undersigned orders plaintiff to pay the required filing fee within 30 days of the filing of this order.

IT IS SO ORDERED.

DATED this 23rd day of December, 2016.

Ronald B. Leighton
RONALD B. LEIGHTON
United States District Judge